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15 UNITED STATES DISTRICT COURT
16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
17 OAKLAND DIVISION

18 CENTER FOR BIOLOGICAL DIVERSITY,)	No. 4:19-cv-02843-PJH
19 et al.,)	
20)	
21 Plaintiffs,)	STIPULATION TO MODIFY
22)	STIPULATED SETTLEMENT
23 v.)	AGREEMENT
24)	
25 DAVID BERNHARDT, in his official)	
26 capacity as Secretary of the United)	
27 States Department of the Interior, et al.,)	
28)	
Defendants.)	
)	

29 Pursuant to Local Civil Rules 6-2 and 7-12, Defendants, David Bernhardt, in his official
30 capacity as Secretary of the United States Department of the Interior, and Aurelia Skipwith, in her
31 official capacity as Director of the U.S. Fish and Wildlife Service (“Service”), and Plaintiffs, the
32 Center for Biological Diversity (“Center”) and San Francisco Baykeeper (collectively, the
33 “Parties”) jointly stipulate, subject to the Court’s approval, to a modification of the Parties’
34 Stipulated Settlement Agreement, ECF No. 28, to extend the deadline for the Service to submit a

35 Mot. to Modify Stip. Settlement Agreement and [Proposed] Order No. 4:19-cv-02843-PJH

1 12-month finding for the Puerto Rico harlequin butterfly to the Federal Register until September
2 25, 2020.

3 1. WHEREAS, on February 12, 2020, the Parties filed a stipulated settlement agreement
4 resolving Plaintiffs' remaining claims in the above-captioned case. ECF No. 28.

5 2. WHEREAS, on February 18, 2020, the Court entered an order of dismissal, approving the
6 Parties' stipulated settlement agreement. ECF No. 29.

7 3. WHEREAS, since the Service implemented a maximum telework policy earlier this spring,
8 Service staffers in the assigned regional offices have been required to take a substantial
9 amount of administrative leave balancing their work and family responsibilities, such as
10 child and elder care. Due to the effects of these COVID-related delays, the Service requests
11 a four-week extension of the current August 31 deadline, until September 25, to review the
12 status of the Puerto Rico harlequin butterfly and submit a 12-month finding to the Federal
13 Register for publication under the ESA, 16 U.S.C. § 1533(b)(3)(B)-(C)(i).

14 NOW, THEREFORE, the Parties respectfully request that the Court approve the requested
15 modification of the Parties' Stipulated Settlement Agreement and enter an order as follows: the
16 deadline for Defendants to review the status of the Puerto Rico harlequin butterfly and submit a
17 12-month finding to the Federal Register for publication is September 25, 2020.

18
19 Dated: August 27, 2020

20 Respectfully submitted,

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Mot. to Modify Stip. Settlement Agreement and [Proposed] Order No. 4:19-cv-02843-PJH

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6 *Attorneys for Defendants*

[PROPOSED] ORDER

The stipulation to modify the terms of the Parties' Stipulated Settlement Agreement is approved and all parties shall comply with its provisions.

IT IS SO ORDERED.

Dated: _____, 2020

By: _____
THE HONORABLE PHYLLIS J. HAMILTON
UNITED STATES DISTRICT JUDGE

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